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ELIZABETH D. RHODES, SBN #: 218480  
CLEVE B. COLLADO, SBN #: 297000  
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Attorneys for Defendants  
OFFICER DANIEL CANCELLA and  
OFFICER STEVE HUMRICH

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

STEVEN YOUNG,

Plaintiff,

v.

CITY OF EAST PALO ALTO POLICE  
OFFICERS DANIEL CANCELLA and  
STEVE HUMRICH and DOES 1 - 50,

Defendants.

CASE NO.: 4:18-cv-01931-DMR

**DEFENDANTS' NOTICE OF MOTION  
AND MOTION FOR SUMMARY  
JUDGMENT**

Date: December 13, 2018  
Time: 11:00 a.m.  
Courtroom: 4, 3rd Floor  
Judge: Hon. Donna M. Ryu

Complaint filed: March 29, 2018  
Trial Date: November 4, 2019

PLEASE TAKE NOTICE THAT on December 13, 2018, at 11:00 a.m. in Courtroom 4, 3rd Floor, or as soon thereafter as counsel may be heard by the above-entitled Court, located at 1301 Clay Street, Oakland, California 94612, Defendants OFFICER DANIEL CANCELLA and OFFICER STEVE HUMRICH will request that this Court, pursuant to Federal Rule of Civil Procedure 56, grant summary judgment in favor of Defendants as to all Claims for Relief asserted against them by Plaintiff STEVEN YOUNG in his Complaint. This entire lawsuit must be dismissed because a) all state law based claims are barred; b) the *Monell* claim is unstated; and c) qualified immunity attaches to all remaining constitutional claims.

1 This motion is supported by the following memorandum of points and authorities, separate  
2 statement of undisputed facts, Declaration of Cleve B. Collado and exhibits thereto, the argument of  
3 counsel, and any other matters appropriately before this Court.

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5 DATED: November 8, 2018

CLAPP, MORONEY, BELLAGAMBA,  
VUCINICH, BEEMAN and SCHELEY

6  
7 By: 

8 JEFFREY M. VUCINICH  
9 ELIZABETH D. RHODES  
10 CLEVE B. COLLADO  
11 Attorneys for Defendants  
12 OFFICER DANIEL CANCELLA and  
13 OFFICER STEVE HUMRICH  
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